

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2005-10176-RCL

BRANDON DELGADO.

ORDER AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on September 28, 2005. Counsel for the defendant appeared.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) No.
- (2) No.
- (3) No.
- (4) The defendant has not responded to the government's request for

notice of alibi.

- (5) No non-discovery type motions will be filed.
- (6) No.
- (7) A trial will not be necessary unless a superseding indictment is filed. A trial on current charges would last about three (3) trial days.
- (8) See Further Order of Excludable Delay entered this date. ***An Initial Pretrial Conference should be as soon as possible; THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***
- (9) Three (3) trial days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Ten (10) trial days.
- (6) The Government may return a superseding indictment adding a firearms charge within thirty days.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 to set a firm trial date ***as soon as***

possible; THE SPEEDY TRIAL ACT CLOCK IS RUNNING.

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE LINDSAY'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS

United States Magistrate Judge

September 28, 2005.